

## Dental Contract Breaches and Remedial Notices

ABMU Health Board in accordance with The National Health Service (General Dental Services Contracts) (Wales) Regulations 2009 and The National Health Service (Personal Dental Services Agreements) (Wales) Regulations 2009; can issue a remedial notice where the Health Board is of the opinion that the contractor has breached their contract. Whilst this is an action that is infrequently triggered the Health Board considered it to be important to remind dental contractors of the process.

Using The National Health Service (General Dental Services Contracts) (Wales) Regulations 2009 as an example; Part 6, Schedule 3, Part 9, Paragraph's 73 and 74 sets out the action that the Health Board must take when they consider that a contract breach has occurred.

It is important to note that the Health Board must give a minimum of 28 days from the date the notice is given for the breach to be remedied. If however the Health Board is satisfied that the contractor has not taken the necessary steps required to remedy the breach by the end of the notice period then the Health Board may then terminate the contract with effect from a specified date (Paragraph 73 (4)). This is not an action that the Health Board would consider lightly and therefore we would prefer to work with dental contractors where a breach has occurred to ensure that a satisfactory remedy can be achieved.